

Chapter 15A-36 - NOTICE REQUIREMENTS

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Chapter 15A-36 - Notice Requirements

15A-36-01 Applicant Notice - Waiver of Requirements

- A. For each land use application the City shall:
1. Notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application;
 2. Provide to each applicant a copy of each staff report regarding the applicant or the pending application at least three business days before the public hearing or public meeting; and
 3. Notify the applicant of any final action on a pending application.
- B. If the City fails to comply with the requirements of Subsections A 1 or 2 above or both, an applicant may waive the failure so that the application may stay on the public hearing or public meeting agenda and be considered as if the requirements had been met.

15A-36-02 Third-Party Notice

- A. For those sections of these ordinances that require notice to adjacent property owners, the City shall:
1. Mail notice three days before the public hearing or public meeting to the record owner of each parcel within 300 feet of the property that is the subject of the hearing; or
 2. Post notice on the property with a sign of sufficient size, durability, print quality, and location that is reasonably calculated to give notice to passers-by.
- B. The mailed notice to third party property owners under Subsection A 1 above shall include both property owners within the City boundaries and property owners within adjacent jurisdictions within 300 feet of the subject property.

15A-36-03 General Plan

- A. **Notice of Intent to Prepare a Proposed General Plan or Comprehensive General Plan Amendment**
1. The Planning Commission shall provide notice of its intent to prepare a proposed general plan or a comprehensive general plan amendment and make a recommendation to the City Council when the Planning Commission initiates the process of preparing its

recommendation.

2. The City shall provide 10 calendar days notice of its intent to prepare a proposed general plan or a comprehensive general plan amendment to:
 - a. Each Affected Entity as defined in §10-9a-103 Utah Code Ann., as amended;
 - b. The Automated Geographic Reference Center created in §63F-1-506 Utah Code Ann., as amended;
 - c. The association of governments, established pursuant to an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, Utah Code Ann. of which the City is a member; and
 - d. The state planning coordinator appointed under §63-38d-202 Utah Code Ann., as amended.
3. Each notice under Subsection (2) shall:
 - a. Indicate that the City intends to prepare a general plan or a comprehensive general plan amendment, as the case may be;
 - b. Describe or provide a map of the geographic area that will be affected by the general plan or amendment;
 - c. Be sent by mail, e-mail, or other effective means;
 - d. Invite the affected entities to provide information for the City to consider in the process of preparing, adopting, and implementing a general plan or amendment concerning:
 - (1) Impacts that the use of land proposed in the proposed general plan or amendment may have; and
 - (2) Uses of land within the City that the affected entity is considering that may conflict with the proposed general plan or amendment;
 - e. Include the address of the City's Internet website and the name and telephone number of a person where more information can be obtained concerning the City's proposed general plan or amendment.

B. General Plan Consideration - Notice Required.

1. After a proposed general plan or general plan amendment for all or part of Sandy City has been prepared, the Planning Commission shall schedule and hold a public hearing to

consider the proposed plan or plan amendment after notice is given as set forth below.

2. After the Planning Commission has forwarded the proposed general plan or amendment to the City Council, the Council shall hold a public meeting on the proposal after notice is given as set forth below.
3. The City shall provide:
 - a. Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of a general plan; and
 - b. Notice of each public meeting on the subject.

C. **Notice for Public Hearings.** Each notice of a public hearing to consider the original adoption or any modification of all or any portion of a general plan shall be at least 10 calendar days before the public hearing and shall be:

1. Published in a newspaper of general circulation in the area;
2. Mailed to each affected entity; and
3. Posted in at least three public locations within the City or on the City's official website.

D. **Notice for Public Meetings.** Each notice of a public meeting to consider the original adoption or any modification of all or any portion of a general plan shall be at least 24 hours before the meeting and shall be:

1. Submitted to a newspaper of general circulation in the area; and
2. Posted in at least three public locations within the City or on the City's official website.

15A-36-04 Zone District Map and Land Development Code

A. Zone District Map and Land Development Code Consideration.

1. The Planning Commission shall hold a public hearing to consider and make recommendations to the City Council on a proposed Land Development Code, Zone District Map or amendment thereto after notice is given as set forth below.
2. After the Planning Commission has forwarded the proposed Zone District Map or Land Development Code or amendment and its recommendation to the City Council, the Council shall consider each proposed Land Development Code, Zone District Map or amendment thereto at a public meeting after notice is given as set forth below.

- B. Notice Required.** The City shall provide notice of the date, time and place of the first public hearing to consider the adoption or any modification of the Land Development Code or Zone District Map and shall give notice of each public meeting on the subject.
- C. Public Hearing Notice.** Each notice of a public hearing to consider the adoption or amendment of a land use ordinance or zone district map shall be:
1. Mailed to each affected entity at least 10 calendar days before the public hearing;
 2. Posted in at least three public locations within the City or on the City's official website; and
 3. Published or mailed:
 - a. Published in a newspaper of general circulation in the area at least 10 calendar days before the public hearing; or
 - b. Mailed at least three days before the public hearing to:
 - (1) Each property owner whose land is directly affected by the Code or Zone District Map change; and
 - (2) Each adjacent property owner within 300 feet of the land directly affected.
- D. Public Meeting Notice.** The City shall provide notice for each public meeting on the subject at least 24 hours before the meeting and shall post the notice:
1. In at least three public locations within the City; or
 2. On the City's official website.

15A-36-05 Subdivision Regulations

A. Subdivision Regulations Consideration.

1. The Planning Commission shall hold a public hearing to consider and recommend to the City Council proposed ordinances regulating the subdivision of land or amendments thereto after notice is given as set forth below.
2. After the Planning Commission has forwarded the proposed ordinances regulating the subdivision of land or amendments thereto and its recommendation to the City Council, the Council shall consider each proposed ordinance regulating the subdivision of land or amendment thereto at a public meeting after notice is given as set forth below.

- B. **Notice Required.** The City shall give notice of the date, time and place of the first public hearing to consider the adoption or modification of subdivision ordinances and shall give notice of each public meeting on the subject.
- C. **Public Hearing Notice.** Each notice of a public hearing to consider ordinances that regulate the subdivision of land within the City or amendments shall be:
1. Mailed to each affected entity at least 10 calendar days before the public hearing;
 2. Be posted:
 - a. In at least three public locations within the City; or
 - b. On the City's official website; and
 3. Published or mailed.
 - a. Published in a newspaper of general circulation in the area at least 10 calendar days before the public hearing; or
 - b. Mailed at least three days before the public hearing to:
 - (1) Each property owner whose land is directly affected by the subdivision ordinance change; and
 - (2) Each adjacent property owner within 300 feet of the land that is directly affected by the subdivision ordinance change.
- D. **Public Meeting Notice.** Each notice of a public meeting to consider ordinances that regulate the subdivision of land within the City or amendments shall be at least 24 hours before the meeting and shall be posted:
1. In at least three public locations within the City; or
 2. On the City's official website.

15A-36-06 Subdivision Plats and Amendments.

A. Subdivision Plat Consideration.

1. The Planning Commission shall hold a public hearing to consider a preliminary subdivision plat or an amendment to a preliminary subdivision plat after notice is given as set forth

below.

2. If an entire subdivision is vacated, the City Council shall consider the matter at a public meeting and pass a resolution containing a legal description of the entire vacated subdivision to be recorded in the County Recorder's Office.

B. Public Hearing Notice. The City shall give notice of the date, time and place of a public hearing as follows:

1. Mailed not less than three calendar days before the public hearing and addressed to the record owner of each parcel within the subdivision plat and the record owner of each parcel within 300 feet of the property proposed for subdivision or an amendment to a subdivision; or
2. Posted not less than three calendar days before the public hearing on the property proposed for subdivision or amendment, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by; and
3. If a proposed amendment involves the vacation, alteration, amendment, or closure of a street, the City shall:
 - a. Publish the notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation; and
 - b. Mail notice to each affected entity.
4. If a preliminary plat is being considered that describes a multiple-unit residential development or a commercial or industrial development, notice shall be mailed not less than three calendar days before the public hearing to each affected entity.

C. By Petition. If a petition has been filed to amend a subdivision pursuant to 10-9a-608 Utah Code Ann., the public hearing shall be within 45 days after the petition has been filed if:

1. An owner within the plat notifies the City of their objection to a proposed vacation, alteration, or amendment of a subdivision plat, in writing, within 10 days of mailed notification; or
2. All the owners in the subdivision have not signed the revised plat.

D. Public Meeting Notice. Each notice of a public meeting to consider the vacation of an entire subdivision shall be at least 24 hours before the meeting and shall be posted:

1. In at least three public locations within the City; and
2. On the City's official website;

15A-36-07 Condominium Plats and Amendments. If required by other provisions of this Code or state law, the Planning Commission shall consider a condominium plat at a public hearing and comply with the noticing requirements therein. If a public hearing is not required, the Planning Commission shall consider the condominium plat at a public meeting.

15A-36-08 Street Vacations, Alterations, Amendments or Closure (not within a subdivision plat)

A. Consideration of Public Street Vacations, Alterations, Amendments, or Closures.

1. Consideration of vacation, alteration, amendment or closure of public streets that are within a subdivision plat shall comply with the hearing and notice provisions set forth for subdivision plat amendments above.
2. For consideration of the vacation, alteration, amendment, or closure of public streets that are not within a subdivision plat, the Planning Commission shall hold a public hearing to consider the vacation, alteration, amendment, or closure.

B. Public Hearing Notice. The Planning Commission shall give notice of the date, place, and time of a public hearing before it to consider a vacation, alteration, amendment or closure of a public street as follows:

1. Mailing notice not less than three calendar days before the hearing addressed to the record owner of each parcel adjacent to the portion of the public street proposed to be vacated, altered, amended or closed and the record owner of each parcel within 300 feet of the portion of the public street which is proposed to be vacated, altered, amended or closed and to each affected entity; and
2. Publish notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation in the municipality in which the land subject to the proposal is located.

15A-36-09 General Notice Requirements. For those sections of these ordinances which require public hearings or public meetings for which the notice requirements are not specified, notice shall be as follows:

A. Application Concerning Specific Parcel of Property - Notice of Public Hearing. For an application that concerns a specific parcel of property, the City shall provide notice of the date, time, and place of a public hearing that is:

1. Posted not less than three calendar days before the public hearing in at least three public locations within the City or on the City's official website;
2. Mailed not less than three calendar days before the public hearing and addressed to the record owner of each parcel directly affected by the application and of each parcel within 300 feet of that property; or
3. Posted not less than 3 calendar days before the public hearing, on the property to which the application pertains, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.

B. Application Not Concerning Specific Parcel of Property - Notice of Public Hearing. For an application that does not concern a specific parcel of property, the City shall provide notice of the date, time, and place of a public hearing that is posted not less than three calendar days before the public hearing in at least three public locations within the City or on the City's official website.

C. Notice for Public Meetings. The City shall provide notice of a public meeting at least 24 hours before the meeting that shall be posted in at least three public locations within the City or on the City's official website.

15A-36-10 Notice Challenge. If notice given under authority of this Chapter is not challenged pursuant to the provisions of this Code within 30 days after the meeting or action for which notice is given, then notice is considered adequate and proper.